

106TH CONGRESS  
1ST SESSION

# S. 971

To amend the Public Health Service Act to revise and extend the grant program for services for children of substance abusers.

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## IN THE SENATE OF THE UNITED STATES

MAY 6, 1999

Mr. DODD (for himself and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to revise and extend the grant program for services for children of substance abusers.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Services for Children  
5       of Substance Abusers Reauthorization Act”.

6       **SEC. 2. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.**

7       (a) ADMINISTRATION AND ACTIVITIES.—

1           (1) ADMINISTRATION.—Section 399D(a) of the  
2       Public Health Service Act (42 U.S.C. 280d(a)(1)) is  
3       amended—

4           (A) in paragraph (1), by striking “Admin-  
5       istrator” and all that follows through “Adminis-  
6       tration” and insert “Administrator of the Sub-  
7       stance Abuse and Mental Health Services Ad-  
8       ministration”; and

9           (B) in paragraph (2), by striking “Admin-  
10      istrator of the Substance Abuse and Mental  
11      Health Services Administration” and inserting  
12      “Administrator of the Health Resources and  
13      Services Administration”.

14          (2) ACTIVITIES.—Section 399D(a)(1) of the  
15      Public Health Service Act (42 U.S.C. 280d(a)(1)) is  
16      amended—

17          (A) in subparagraph (B), by striking  
18      “and” at the end;

19          (B) in subparagraph (C), by striking the  
20      period and inserting the following: “through  
21      youth service agencies, family social services,  
22      child care providers, Head Start, schools and  
23      after-school programs, early childhood develop-  
24      ment programs, community-based family re-  
25      source and support centers, the criminal justice

1 system, health, substance abuse and mental  
 2 health providers through screenings conducted  
 3 during regular childhood examinations and  
 4 other examinations, self and family member re-  
 5 ferrals, substance abuse treatment services, and  
 6 other providers of services to children and fami-  
 7 lies; and”; and

8 (C) by adding at the end the following:

9 “(D) to provide education and training to  
 10 health, substance abuse and mental health pro-  
 11 fessionals, and other providers of services to  
 12 children and families through youth service  
 13 agencies, family social services, child care, Head  
 14 Start, schools and after-school programs, early  
 15 childhood development programs, community-  
 16 based family resource and support centers, the  
 17 criminal justice system, and other providers of  
 18 services to children and families.”.

19 (3) IDENTIFICATION OF CERTAIN CHILDREN.—

20 Section 399D(a)(3)(A) of the Public Health Service  
 21 Act (42 U.S.C. 280d(a)(3)(A)) is amended—

22 (A) in clause (i), by striking “(i) the enti-  
 23 ty” and inserting “(i)(I) the entity”;

24 (B) in clause (ii)—

1 (i) by striking “(ii) the entity” and in-  
 2 serting “(II) the entity”; and

3 (ii) by striking the period and insert-  
 4 ing “; and”; and

5 (C) by adding at the end the following:

6 “(ii) the entity will identify children  
 7 who may be eligible for medical assistance  
 8 under a State program under title XIX or  
 9 XXI of the Social Security Act.”.

10 (b) SERVICES FOR CHILDREN.—Section 399D(b) of  
 11 the Public Health Service Act (42 U.S.C. 280d(b)) is  
 12 amended—

13 (1) in paragraph (1), by inserting “alcohol and  
 14 drug,” after “psychological,”;

15 (2) by striking paragraph (5) and inserting the  
 16 following:

17 “(5) Developmentally and age-appropriate drug  
 18 and alcohol early intervention, treatment and pre-  
 19 vention services.”; and

20 (3) by inserting after paragraph (8), the fol-  
 21 lowing:

22 “Services shall be provided under paragraphs (2) through  
 23 (8) by a public health nurse, social worker, or similar pro-  
 24 fessional, or by a trained worker from the community who  
 25 is supervised by a professional, or by an entity, where the

1 professional or entity provides assurances that the profes-  
 2 sional or entity is licensed or certified by the State if re-  
 3 quired and is complying with applicable licensure or cer-  
 4 tification requirements.”.

5 (c) SERVICES FOR AFFECTED FAMILIES.—Section  
 6 399D(c) of the Public Health Service Act (42 U.S.C.  
 7 280d(c)) is amended—

8 (1) in paragraph (1)—

9 (A) in the matter preceding subparagraph  
 10 (A), by inserting before the colon the following:  
 11 “, or by an entity, where the professional or en-  
 12 tity provides assurances that the professional or  
 13 entity is licensed or certified by the State if re-  
 14 quired and is complying with applicable licen-  
 15 sure or certification requirements”; and

16 (B) by adding at the end the following:

17 “(D) Aggressive outreach to family mem-  
 18 bers with substance abuse problems.

19 “(E) Inclusion of consumer in the develop-  
 20 ment, implementation, and monitoring of Fam-  
 21 ily Services Plan.”;

22 (2) in paragraph (2)—

23 (A) by striking subparagraph (A) and in-  
 24 serting the following:

1           “(A) Alcohol and drug treatment services,  
 2           including screening and assessment, diagnosis,  
 3           detoxification, individual, group and family  
 4           counseling, relapse prevention, pharmaco-  
 5           therapy treatment, after-care services, and case  
 6           management.”;

7           (B) in subparagraph (C), by striking “, in-  
 8           cluding educational and career planning” and  
 9           inserting “and counseling on the human im-  
 10          munodeficiency virus and acquired immune de-  
 11          ficiency syndrome”;

12          (C) in subparagraph (D), by striking “con-  
 13          flict and”; and

14          (D) in subparagraph (E), by striking “Re-  
 15          medial” and inserting “Career planning and”;  
 16          and

17          (3) in paragraph (3)(D), by inserting “which  
 18          include child abuse and neglect prevention tech-  
 19          niques” before the period.

20          (d) ELIGIBLE ENTITIES.—Section 399D(d) of the  
 21          Public Health Service Act (42 U.S.C. 280d(d)) is  
 22          amended—

23                 (1) by striking the matter preceding paragraph  
 24                 (1) and inserting:

1 “(d) ELIGIBLE ENTITIES.—The Secretary shall dis-  
2 tribute the grants through the following types of entities:”;

3 (2) in paragraph (1), by striking “drug treat-  
4 ment” and inserting “drug early intervention, pre-  
5 vention or treatment”; and

6 (3) in paragraph (2)—

7 (A) in subparagraph (A), by striking “;  
8 and” and inserting “; or”; and

9 (B) in subparagraph (B), by inserting “or  
10 pediatric health or mental health providers and  
11 family mental health providers” before the pe-  
12 riod.

13 (e) SUBMISSION OF INFORMATION.—Section  
14 399D(h) of the Public Health Service Act (42 U.S.C.  
15 280d(h)) is amended—

16 (1) in paragraph (2)—

17 (A) by inserting “including maternal and  
18 child health” before “mental”;

19 (B) by striking “treatment programs”; and

20 (C) by striking “and the State agency re-  
21 sponsible for administering public maternal and  
22 child health services” and inserting “, the State  
23 agency responsible for administering alcohol  
24 and drug programs, the State lead agency, and  
25 the State Interagency Coordinating Council

1 under part H of the Individuals with Disabil-  
2 ities Education Act; and”;

3 (2) by striking paragraph (3) and redesignating  
4 paragraph (4) as paragraph (3).

5 (f) REPORTS TO THE SECRETARY.—Section  
6 399D(i)(6) of the Public Health Service Act (42 U.S.C.  
7 280d(i)(6)) is amended—

8 (1) in subparagraph (B), by adding “and” at  
9 the end; and

10 (2) by striking subparagraphs (C), (D), and (E)  
11 and inserting the following:

12 “(C) the number of case workers or other  
13 professionals trained to identify and address  
14 substance abuse issues.”.

15 (g) EVALUATIONS.—Section 399D(l) of the Public  
16 Health Service Act (42 U.S.C. 280d(l)) is amended—

17 (1) in paragraph (3), by adding “and” at the  
18 end;

19 (2) in paragraph (4), by striking the semicolon  
20 and inserting the following: “, including increased  
21 participation in work or employment-related activi-  
22 ties and decreased participation in welfare pro-  
23 grams.”; and

24 (3) by striking paragraphs (5) and (6).



1 (h) REPORT TO CONGRESS.—Section 399D(m) of the  
 2 Public Health Service Act (42 U.S.C. 280d(m)) is  
 3 amended—

4 (1) in paragraph (2), by adding “and” at the  
 5 end;

6 (2) in paragraph (3)—

7 (A) in subparagraph (A), by adding “and”  
 8 at the end;

9 (B) in subparagraph (B), by striking the  
 10 semicolon and inserting a period; and

11 (C) by striking subparagraphs (C), (D),  
 12 and (E); and

13 (3) by striking paragraphs (4) and (5).

14 (i) DATA COLLECTION.—Section 399D(n) of the  
 15 Public Health Service Act (42 U.S.C. 280d(n)) is amend-  
 16 ed by adding at the end the following: “The periodic report  
 17 shall include a quantitative estimate of the prevalence of  
 18 alcohol and drug problems in families involved in the child  
 19 welfare system, the barriers to treatment and prevention  
 20 services facing these families, and policy recommendations  
 21 for removing the identified barriers, including training for  
 22 child welfare workers.”.

23 (j) DEFINITION.—Section 399D(o)(2)(B) of the Pub-  
 24 lic Health Service Act (42 U.S.C. 280d(o)(2)(B)) is  
 25 amended by striking “dangerous”.

1 (k) AUTHORIZATION OF APPROPRIATIONS.—Section  
 2 399D(p) of the Public Health Service Act (42 U.S.C.  
 3 280d(p)) is amended to read as follows:

4 “(p) AUTHORIZATION OF APPROPRIATIONS.—For the  
 5 purpose of carrying out this section, there are authorized  
 6 to be appropriated \$50,000,000 for fiscal year 2000, and  
 7 such sums as may be necessary for fiscal year 2001.”.

8 (l) GRANTS FOR TRAINING AND CONFORMING  
 9 AMENDMENTS.—Section 399D of the Public Health Serv-  
 10 ice Act (42 U.S.C. 280d) is amended—

11 (1) by striking subsection (f);

12 (2) by striking subsection (k);

13 (3) by redesignating subsections (d), (e), (g),  
 14 (h), (i), (j), (l), (m), (n), (o), and (p) as subsections  
 15 (e) through (o), respectively;

16 (4) by inserting after subsection (c), the fol-  
 17 lowing:

18 “(d) TRAINING FOR PROVIDERS OF SERVICES TO  
 19 CHILDREN AND FAMILIES.—The Secretary may make a  
 20 grant under subsection (a) for the training of health, sub-  
 21 stance abuse and mental health professionals and other  
 22 providers of services to children and families through  
 23 youth service agencies, family social services, child care  
 24 providers, Head Start, schools and after-school programs,  
 25 early childhood development programs, community-based

1 family resource centers, the criminal justice system, and  
2 other providers of services to children and families. Such  
3 training shall be to assist professionals in recognizing the  
4 drug and alcohol problems of their clients and to enhance  
5 their skills in identifying and understanding the nature of  
6 substance abuse, and obtaining substance abuse early  
7 intervention, prevention and treatment resources.”;

8 (5) in subsection (k)(2) (as so redesignated), by  
9 striking “(h)” and inserting “(i)”; and

10 (6) in paragraphs (3)(E) and (5) of subsection  
11 (m) (as so redesignated), by striking “(d)” and in-  
12 serting “(e)”.

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